IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 20TH APRIL 2007 / 30TH CHAITHRA 1929

Bail Appl..No. 2406 of 2007()

CMP.1063/2007 of J.M.F.C.-II, CHENGANNUR
C.R.NO.50/07 OF CHENGANNUR EXCISE RANGE

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PETITIONER/ACCUSED IN C.R.NO.50/2007

BIJU, S/O.KARUNAKARAN, AGED 30 YEARS,
RESIDING AT THADATHIL VEEDU, KARAKADU MURI,
MULAKUZHA VILLAGE, CHENGANNUR TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT/C.R.NO.50/2007

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J.

B.A. No. 2406 of 2007

Dated this the 20th day of April, 2007

O R D E R

This is an application for bail under Section 439 of the Code of Criminal Procedure.

2. The petitioner is the accused in CR No. 50/2007, Chengannur Excise Range. The offence alleged against him is under Section 8(1) & 8(2) of the Abkari Act.

3. The petitioner moved an application for bail before the Court of Judicial First Class Magistrate – II, Chengannur, but the same was dismissed by the order dated 27/03/2007.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor.

5. The prosecution case is that the petitioner was found in possession of 1.5 litres of arrack. Petitioner is in custody from

21/03/2007 onwards.

In the facts and circumstances of the case, I am inclined to grant bail to the petitioner. The petitioner shall be released on bail on condition that he executes a bond for Rs. 20,000/- with two solvent sureties each for the like amount to the satisfaction of the Judicial Magistrate of the First Class, Chengannur.

(**K.T.SANKARAN, JUDGE)**

jg